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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Third periodic report of States parties*

Slovenia**

* For the initial report submitted by the Government of Slovenia see CEDAW/C/SVN/1, which was considered by the Committee at its sixteenth session. For the second periodic report submitted by the Government of Slovenia, see CEDAW/C/SVN/2.

** The present document is being issued without formal editing.

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INTRODUCTION

By Act of Notification of Succession to Conventions, on 6 July 1992, the Republic of Slovenia became a legal successor to the Convention on the Elimination of All Forms of Discrimination against Women. The Republic of Slovenia handed the initial report on the implementation of the provisions of the Convention to the Committee on the Elimination of Discrimination against Women in 1993. The Committee discussed it at its 16th meeting. The Government of the Republic of Slovenia adopted the Second Report in compliance with Article 18 of the Convention, in 1999 and communicated it to the Committee on the Elimination of Discrimination against Women.

The Government of the Republic of Slovenia is bound by the Constitution, legislation and international agreements to guarantee and assure enjoyment of human rights and fundamental freedoms which prevent all forms of discrimination in relation to nationality, race, sex, language, religious belief, political or other conviction, material circumstances, birth, education, social position or any other personal circumstance. The Convention on the Elimination of All Forms of Discrimination against Women is the legal basis for the national programmes of legal reforms and at the same time a source of reference for the development of strategies and programmes for preventing the discrimination of women and guaranteeing gender equality.

The Third Report on the implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women was prepared by the Office of the Government of the Republic of Slovenia for Equal Opportunities in co-operation with ministries and other institutions. The Third Report is given in condensed form and is focused above all on changes in the period since the Second Report to the preparation of the Third Report, in order that the Second and Third Reports can be considered by the Committee on the Elimination of Discrimination against Women simultaneously (at the 29th Meeting of the Committee, which is planned for July 2003).

In 2001, the Women's Policy Office was renamed the Office for Equal Opportunities, so we use in the report the title Office for Equal Opportunities when referring to the work and activities of both offices.

Legal sources used

1. Constitution of the Republic of Slovenia, Official Gazette of the Republic of Slovenia (Ur.l.RS), no. 33/91-I, 42/97 and 66/2000,
2. Act on Equal Opportunities for Women and Men, Ur.l.RS, no. 59/2002,
3. Employment Relationships Act, Ur.l.RS, no. 42/2002,
4. Parental Care and Family Income Act, Ur.l.RS, no. 97/2001,
5. Marriage and Family Relations Act, Ur.l.RS, no. 14/89 (consolidating text) and 64/2001,
6. Penal Code, Ur.l.RS, no. 63/94, 70/94 and 23/99,
7. Criminal Procedure Act, Ur.l.RS, no. 63/94, 70/94, 72/98, 6/99, 66/2000 and 111/2001,
8. Foreign Affairs Act, Ur.l.RS, no. 45/2001,
9. Pension and Disability Insurance Act, Ur.l.RS, no. 106/99, 72/2000, 124/2000 and 109/2001,
10. Health Care and Health Insurance Act, Ur.l.RS, no. 91/92, 13/93, 9/96, 29/98, 6/99, 99/2001 and 60/2002,
11. Health and Safety at Work Act, Ur.l.RS, no. 56/99 and 64/2001,

12. Infertility Treatment and Procedures of Biomedically-Assisted Procreation Act, Ur.l.RS, no. 70/2000,
13. Health Measures in Exercising Freedom of Choice in Childbearing Act, Official Gazette SRS, no. 11/77, 42/86, Ur.l. RS/I, no. 17/91 and 66/93,
14. Guarantee and Alimony Fund Act, Ur.l.RS, no. 25/97, 10/98, 41/99 and 53/99,
15. National Social Protection Programme by 2005, Ur.l.RS, no. 31/2000,
16. National Programme on the Development of Labour Market and Employment by 2006, Ur.l.RS, no. 92/2001,
17. National Health Care Programme of the Republic of Slovenia 'Health for All by 2004', Ur.l.RS, no. 49/2000,
18. National Housing Programme, Ur.l.RS, no. 43/2000,
19. National Programme on Sport in the Republic of Slovenia, Ur.l.RS, no. 24/2000 and 31/2000,
20. Rules on Method of Drawing up the Safety Statement with Risk Assessment, Ur.l.RS, no. 30/2000,
21. Act Concerning Salary System in Public Sector, Ur.l.RS, no. 56/2002.

PART I:
GENERAL INFORMATION

a) The conditions in which Slovenia approaches the elimination of discrimination against women in all its forms

1. Population

1.1. Basic Data

In 2001 there was a total population of 1,990,094 in the Republic of Slovenia, of which 972,742 were men and 1,017,352 women. Women thus represent 51.1% of the total population. In comparison with data from the Second Report (1,986,989 inhabitants in 1996) the number of inhabitants grew slightly in the period to 2001, but the share of women slightly fell (51.4% women in 1996).

1.2. Fertility and abortion

Fertility is reducing from year to year and the average age of the mother rising. Data on an increase of live-born children in 2000 is interesting. In comparison with 1999, when 17,533 children were born, in 2000 there were 18,180 live-born children, but in 2001 the number again significantly fell, to 17,477 children. The average age of the mother at the first childbirth in 2000 was 28.3 years, while in 1996 it had been 27.5 years (data on mothers' age with live-born children).

The number of authorised abortions in the period since 1996 fell, with 10.218 authorised abortions in 1996 and 8,429 in 2000.

1.3. Marriage and divorce

In 2000, the number of marriages greatly fell, and simultaneously the number of divorces rose in comparison with 1999. In 1999, 7,716 marriages were concluded and 2,074 divorces granted. In 2000, there were 515 fewer marriages concluded and 51 more divorces. The average age of brides and bridegrooms at the time of marriage is higher from year to year, and in 2000 bridegrooms were on average 31.4, and brides 28.4 years.

1.4. Ageing population

Data on the age structure of the population show that the of ageing of the population characteristic of a developed society, continues. The life expectancy in the period from 1999-2000 is 75.2 years: 71.9 for men and 79.1 for women. Compared with data from the end of 1996 (73.6 years), life expectancy at the end of 2000 is some 1.6 years higher.

2. Education

2.1. Primary and secondary education

Primary school education is compulsory in Slovenia. In the school year 1999/2000 there were 185,034 pupils enrolled in primary schools, of which 90,358 or 48.8% were girls. There were 102,969 pupils attending secondary schools in that year, of which 51,673 or 50.2% were girls. It is clear from this that somewhat more girls than boys continue education to secondary level.

2.2. College and university education

Increasingly more students decide on studies at colleges and universities. In 1996, there were 50,667 students enrolled at this level of education, of which 56.6% were women. In the same year, 7,724 students graduated, of which 4,658 or 60.3% were women. In 2000, there were 82,812 students enrolled in the system of college and university education, of which 57.3% were women, and that year 10,232 students completed studies (59.2% women). It can be seen that women more often decide on continuing studies at colleges and universities and that the share of women who complete this education is also relatively higher.

2.3. Postgraduate education

Among masters and specialists who completed studies in 1996, 49.7% were women. In 2000, the share of women was 48.0%.

In 1996, we had 238 doctors of science in Slovenia, of which 33.1% were women. In 2000, there were 296 doctors of science, and the share of women had risen to 38.5%.

3. Economic situation

3.1. Economic development

Slovenia is considered to be one of the most successful of the countries making the transition into a system of a market economy. Slovenia has stable growth of gross domestic product and is ranked among transition countries with the lowest risk rating. In 1997, GDP per capita amounted to 9,163 USD, and two years later, 10,109 USD, but the most recent data from 2001 shows per capita GDP at 9,451 USD. In 2001, average annual inflation in Slovenia was 8.4%. Active employment measures have contributed to reducing unemployment in recent years.

3.2. Employment and unemployment

The share of the active working population in the 1999-2001 period rose slightly, as also the share of the employed population. In 2001, the share of active working women in the age period from 15 to 64 amounted to 63.5% (men 73.1%), and the share of employed women in the same period was 58.9% (men 68.7%). Registered unemployment has been reduced in recent years from 14.5% in 1998 to 11.6% in 2001, but in 2001, registered unemployment of women was 1.1% higher than male unemployment.

Above all of concern is unemployment of young first job seekers, which has even slightly risen in recent years. In 1997 youth unemployment (15-24 years) was 17.4% (women 19.7%), in 2001 youth unemployment had increased to 18.1% (women to 20.9%).

3.3. Structure of the labour market

The labour market in Slovenia is strongly segregated horizontally and vertically. Women are predominantly employed in the public sector, mainly in education, health and social services and other service activities. At the same time, the share of women in senior official and management positions is low (31.8%).

3.4. Incomes policy

By means of income policy, Slovenia has for some years had modest pay growth, which lags behind increased labour productivity. This applies to both private and public sectors. The determination of pay is regulated by collective contracts, individual contracts, the Act Concerning Salary System in Public Sector and the Employment Relationships Act.

Average monthly pay of men is higher than that of women in almost all economic activities. Data for 2000 shows that average monthly pay for women is on average 12.2% lower than that of men.

4. Public and political life

In formal legal terms, women and men have equal political rights in Slovenia. However, the formal legal equality of men and women in the sphere of political decision making does not ensure their actual equal position in practice. In relation to the share in the total structure of the population in the country, women are under-represented at all levels of political decision-making, in both elected and appointed political bodies, both on a local and on a state level. At the last elections to the National Assembly (2000) 12 women were elected (13.3%) of a total of 90 seats. The number has increased slightly in comparison with the number of women parliamentarians after the 1996 elections, when there were only 7.8% of women.

There are three women ministers in the Government of the Republic of Slovenia (Minister of the Economy, Minister of Culture and Minister of Education, Science and Sport) of a total of 15 ministerial posts (one of which a minister without portfolio), which amounts to 20%. In the 1996-2000 government, there were no women in ministerial positions (except in the last four months before new parliamentary elections, when there was one woman minister).

The share of women in political decision-making at local level is very low in Slovenia. At the local elections in 1998, the share of women on candidate lists was 19.0%, and there were only 11.4% elected women to urban and municipal councils. Only 4.2% of women mayors were elected at those elections.

b) Measures adopted for implementing the Convention and the effect of ratification of the Convention on the Slovene general, social, economic, political and legal situation from the commencement of validity of the Convention for the Republic of Slovenia

Effect of ratification of the Convention

The Convention on the Elimination of All Forms of Discrimination against Women is the starting point for the work of national mechanisms for establishing de facto equality of women and men in Slovene society. The provisions of the Convention are the basis for the grounding of measures that the Office for Equal Opportunities proposes to government for consideration. Non-governmental bodies also use the provisions as a starting point.

The Convention was one of the basic documents in preparation and formulation of the Act on Equal Opportunities for women and Men, which took effect on 20 July 2002.

In the Second Report, we reported on the initiative of the Office for Equal Opportunities that in compliance with the constitutional right to equality in education, Article 10 of the Convention and decisions of the Government, that girls and boys be enabled equal opportunity of education at the Secondary Police School. The Ministry of Internal Affairs has committed itself to redesign programmes of education for professional police officers in such a way that the principle of equal access to all forms and levels of education will no longer be violated. The first intake of girls was enrolled in the four-year programme at the Secondary Police School in 1998. In 1999, the school began to carry out a new education programme for police officers in the form of an 18-month further professional course after completion of secondary school. In the most recent intake, girls make up about a quarter of all those enrolled. Slovenia has thus eliminated the last obstacle to equal opportunities in education and created the conditions for greater participation of women in the police force.

c) Institutions for guaranteeing the right to equality of women and men and for eliminating violations

1. Commission of the National Assembly of the Republic of Slovenia for Equal Opportunities Policy

In 1990, a Commission of the National Assembly of the Republic of Slovenia for Women's Policy was established, which was renamed and given enlarged competencies as the Commission of the National Assembly of the Republic of Slovenia for Equal Opportunities Policy, after the elections of 1996. With the reorganisation of parliamentary bodies, the commission was abolished after the elections of 2000, and its competencies taken over by the Parliamentary Committee for Internal Affairs.

2. Office for Equal Opportunities

In 1992, the Women's Policy Office was founded as a self-standing expert service of the Government of the Republic of Slovenia. The basic principle in the work of the office is care for realisation of the declared legal equality of men and women and actual creation of equality in all spheres of life. In 2001, the office was renamed the Office for Equal Opportunities and it is continuing work specified by decision of the Government and the Act on Equal Opportunities for women and Men. It also carries out activities for integrating gender perspective in government policies and for the elimination of gender based inequality in all spheres of life. The Office performs tasks in co-operation with ministries and other public services, with international, national and foreign governmental and non-governmental organisations and other institutions and with foreign and domestic experts.

Eight persons were employed full-time in the Office in October 2002, of which one is a trainee. In 2003, the employment of an advocate of equal opportunities for women and men is envisaged as anticipated in the Act on Equal Opportunities for Women and Men adopted in June 2002.

3. Co-ordinator for Equal Opportunities for Women and Men

The Act on Equal Opportunities for Women and Men introduces a new mechanism for integration of gender perspective in government policies and its implementation and monitoring. Each ministry appoints a co-ordinator for equal opportunities for women and men, who co-operates closely with the Office for Equal Opportunities in performing his/her tasks.

d) Funds and methods of guaranteeing and stimulating the development and strengthening of the position of women

1. Budget funds of the Office for Equal Opportunities

Budget funds of the Office for Equal Opportunities for 2002, not including staff salaries, amounted to 40,388,110 SIT (175,600 USD). Of this, 7,000,000 SIT (30,435 USD) was devoted to payment of membership fees to programmes of the European Union. Approximately 5,000,000 SIT (21,739 USD) was devoted to co-financing programmes of non-governmental organisations.

2. Civil Society Organisations and Non-Governmental Organisations

An important change in the sphere of the functioning of civil society since the last report was made in a strengthening and linking up of non-governmental organisations.

In 2001 the Centre for Informing, Co-operation and Development of Non-Governmental Organisations (CNVOS) was founded. Its purpose is to strengthen their development, network and establish co-operation of non-governmental organisations in Slovenia, which had been often overlooked as an important part of civil society. CNVOS unites in addition to the 27

founding non-governmental organisations, a further 35 members. CNVOS also offers its members above all technical support, legal and advisory services and assistance in setting up co-operation with government, government services, local authorities, and related domestic and international organisations.

CNVOS treats women's policies and equal opportunity policies as a specific project field. The main aim of this field is strengthening and 'networking' women's non-governmental organisations and non-governmental organisations dealing with the theme of equal opportunities for women and men.

Trade unions also have an important role in implementing the provisions of the Convention on the Elimination of All Forms of Discrimination against Women. In the period since making the first report, several trade unions have founded specific working bodies for equal opportunities. Committees for equal opportunities for women and men, for example, function within the Power Workers Trade Union of Slovenia, the Trade Union of Chemical, Non-metal and Rubber Industries of Slovenia, and the Association of Independent Trade Unions of Slovenia. Within the Federation of Trade Unions of Slovenia 90, a Council for Women's Policy operates.

PART II:
IMPLEMENTATION OF THE PROVISIONS OF INDIVIDUAL ARTICLES OF THE CONVENTION

Article 1

DISCRIMINATION AGAINST WOMEN

From the point of view of elimination of discrimination against women, the Equal Opportunities of Men and Women Act adopted in June 2002 represents major progress. It does not just define gender based discrimination but also identifies various measures, which purpose is the elimination of both direct and indirect forms of discrimination and promoting gender equality in all spheres. The aim of the Act is specified in Article 1, as the definition of common grounds for the improvement of the status of women and the establishment of equal opportunities for women and men in political, economic, social, educational and other fields of social life. Creating equal opportunities under this act is the duty of the entire society. The act defines in Article 5 gender based discrimination, both its direct and indirect forms. Direct gender based discrimination exists if a person, has been, is or could be treated less favourably in equal or similar circumstances than a person of the opposite sex. It is an indirect form of gender based discrimination if apparently neutral provisions, standards or treatment in equal or similar circumstances place persons of one gender in a less favourable situation, unless these provisions, standards or treatment are necessary and justified by objective facts that are not connected to gender.

Articles 2 and 3

MEASURES FOR ENSURING THE GENDER EQUALITY

In the period since the Second Report was made, three acts have been adopted which are important from the point of view of the status of women and promoting gender equality; these are the aforementioned Act on Equal Opportunities for Women and Men, the Employment Relationships Act and the Parental Care and Family Income Act.

The Act on Equal Opportunities for Women and Men was prepared by the Office for Equal Opportunities in co-operation with a government working group, and non-governmental organisations, trade unions and individual experts were also invited to co-operate. The National Assembly adopted the act on 21.6.2000, and it took effect on 20.7.2002. It is a general law that specifies common grounds that will guide the development of legislation in individual areas. The act introduces an integrated approach to establishing equal opportunities and promoting gender equality, the aim of which is to achieve sustainable development in this area. Equality of women and men as defined by the Act on Equal Opportunities for Women and Men means that women and men participate equally in all fields of public and private life, that they have equal status and equal opportunities to enjoy all rights and to develop personal potentials by which they contribute to social development, as well as the right to equal benefit from the results that development brings. The act also specifies equal opportunities for women and men as eliminating obstacles to the introduction of gender equality, in particular through the prevention and elimination of unequal treatment of the two sexes as forms of discrimination in practice,

which derives from traditionally and historically conditioned different social roles, and creating the conditions for introduction of gender balanced representation in all fields of social life (Article 1).

As bearers of tasks the Act on Equal Opportunities for Women and Men determines the National Assembly, the Government, Ministries, the Office for Equal Opportunities, local communities, political parties and the Human Rights Ombudsman. Ministries have the main role in implementing gender mainstreaming, since the act determines that in the preparation of regulations and other measures that apply in the fields which are relevant for the establishment of equal opportunities, ministries must take into consideration the gender equality perspective and co-operate for this purpose with the Office for Equal Opportunities and take into account their proposals and opinions (Article 11). All ministries have this task under the act, and they must, each in their own field, appoint an official who will take care of these and other duties of the ministries (Article 13). The ministries have already appointed co-ordinators, and the Office for Equal Opportunities will prepare special training for them. The act also prescribes that local communities include the gender perspective in adopting measures and activities relevant for creating equal opportunities, and they can similarly have a co-ordinator for equal opportunities for women and men (Article 30). The first task of co-ordinators will be bound to co-operation in preparation of the national programme for equal opportunities for women and men, which is envisaged by the act. The national programme will determine aims and measures for their achievement in individual fields, such as in the field of labour relations and healthcare, education, family relations, violence against women, representation of both genders in public life etc. (Article 15).

With the Act on Equal Opportunities for Women and Men, Slovenia also introduced a special advocate for equal opportunities for women and men, who will deal with individual cases of alleged unequal treatment of women and men (discrimination) and provide a written opinion on this (Article 20). The advocate will be employed by the Office for Equal Opportunities, and will start work in 2003. An initiative for hearing a case may, on the basis of Article 22 of the act, be submitted by individuals, non-governmental organisations, trade unions, and other civil society organisations or other legal persons, and the advocate may also hear an anonymous initiative if she or he considers that it concerns such an important and serious matter that hearing it would be sensible in relation to the aim of the act (Article 23). A hearing will generally be done in writing, but depending on the circumstances of the case the advocate may also invite the parties involved for a discussion. The advocate can request from the opposing party specific explanations, but if she or he does not receive them, will issue an opinion on the basis of the available data (Article 25). In the opinion, the advocate will state her or his findings and assess the circumstances of the case with regards to the existence of unequal treatment, may draw attention to irregularities found, recommend the method of their elimination and call on the opposing party that within a fixed time limit it inform the advocate about its measures (Article 27). Any individual may also turn to the advocate with a request for an opinion on whether she or he will cause or has caused unequal treatment of women and men with any of their actions (Article 28). The Office for Equal Opportunities will report annually to the Government on the work of the advocate (Article 29).

We report below on the more important provisions of the Employment Relationships Act and the Parental Care and Family Income Act.

Article 4

ENCOURAGING GENDER EQUALITY WITH TEMPORARY SPECIAL MEASURES

In addition to the basis in the Convention with the adoption of the Act on Equal Opportunities for Women and Men, Slovenia gained an additional ground for the introduction of special temporary measures. The act determines in Article 7 as the aim of their introduction, the creation of equal opportunities for women and men and the promotion of gender equality in fields in which there is imbalance in the representation of women and men or they are in an unequal position. The act divides special measures into positive, encouraging and programme measures. Positive measures are those that give priority to persons of the sex that is represented in smaller numbers or is experiencing unequal status, encouraging measures give a special benefits or introduce special incentives for the purpose of eliminating non-balanced gender representation or an unequal status on account of gender, and programme measures are measures in the form of awareness-raising activities, and action plans for the promotion and establishment of equal opportunities and gender equality. The act also specifies the method of adopting special measures, which is determined in particular in relation to adopting positive measures. Positive measures in compliance with Article 8 of the act may be adopted in the fields of education, employment, professional life, public or political activity and in other fields where reasons are given for their introduction, and they may be adopted by state authorities and other bodies in the public sector, economic operators, political parties and civil society organisations. Those entitled must at the time of introduction of the measures prepare an action plan in which they analyse the status of women and men within their field of work, specify the reasons for the adoption of positive measures, aims that they are intended to achieve, the start of implementation, the method of monitoring, supervision of implementation and the cessation of implementation of the measures. Action plans must be submitted to the Office for Equal Opportunities for their approval prior to the commencement of the implementation of positive measures.

Article 5

ELIMINATING PREJUDICES AND STEREOTYPES

1. Education for gender equality

The Act on Equal Opportunities for Women and Men provides the basis for systematic introduction of education for gender equality at all levels of education, and thus the gradual elimination of stereotype thinking on gender roles in society. The act determines in Article 12 that education on matters of gender equality is an integral part of the system of education and vocational training, which includes among other things preparation of both sexes for active and equal participation in all spheres of social life. The ministries responsible for education and labour as well as other bodies and persons with competencies in the field of education and vocational training ensure equal gender treatment, especially in the preparation, adoption and implementation of publicly applicable programmes of education or vocational training, in the attestation of school books and teaching aids and in introducing organisational innovations and modifying pedagogic or andragogic methods and, each within the framework of its competencies, to set up a suitable system of measures for the elimination of ascertained forms of unequal treatment of women and men.

2. Family life

The Constitution determines in Article 53 that marriage is based on the equality of the spouses, and in Article 54 that parents have the right and duty to maintain, educate and bring up their children. Article 14 of the Marriage and Family Relations Act also contains provisions on the equality of spouses. Despite such provisions, there is still present in Slovenia a traditional division of roles. Despite the high share of employment of women in Slovenia, the division of work between partners or parents in the family is explicitly unfavourable. Women still deal with household work to a larger extent than men and perform a great deal more care of children, the elderly, sick and persons with disturbed physical or mental development.

Trends in the family life are still the same as at the time of the first and second report: together with the »classic« family of a married couple with children, the number of single parent families is growing, which represent something less than 20% of all families (more than 90% of single parent families are maternal single parent families), the number of supplemented or reorganised families, extra-marital family partnerships and families of homosexual partners is growing. Formalised marriage is losing its social status and significance. The number of children born out of wedlock is growing and represents more than a third of children (37.2%) born in 2000. In Slovenia in 2000 on average almost a third of marriages were dissolved. The average number of persons living in a shared household was 3.1 at the 1991 census, and had fallen to 2.8 at the 2002 census. The age of parents at the time of the birth of the first child is rising, in 2000 the average age of the mother at the birth of the first child was 28.3 years.

From the point of view of reconciliation of professional and family life, the new Parental Care and Family Income Act is important, which introduces the non-transferable right of fathers to paternity leave to a total duration of 90 days. Fathers can start to use the first 15 days from January 1 2003, and from January 1, 2005, they will be able to use all 90 days. In 2003, the Office for Equal Opportunities, in co-operation with the Ministry of Labour, Family and Social Affairs, will introduce a campaign of promotion of paternity leave, with the aim that as many fathers as possible will actually make use of this leave.

3. Advertising jobs

In relation to advertising jobs in both gender forms, the provision of Article 25 of the Employment Relationships Act is important, which determines that an employer may not advertise a job only for men or only for women, unless a specific sex is an essential condition for performing the work. The publication of a vacant job may also not indicate that the employer gives priority in employment to a specific sex, unless it is the previously mentioned exception. If an employer publishes a vacant job in conflict with the cited provision, she or he shall be fined for a violation.

4. Violence against women and violence in the family

Violence against women and violence in the family, despite some changes, is still a pressing problem in Slovenia. With amendments to the Penal Code in 1999, the criminal offence of violence (Article 299) was supplemented by violence in the family. The criminal offence of violence is committed by anyone who seriously insults another, behaves brutally with them, is violent towards them or threatens their safety, and thus in public or within the family causes a

threat, disgust or fear. The criminal offence is prosecuted ex officio, and a prison sentence of up to two years is prescribed. If the offence has been committed by two or more persons, or if there has been grave humiliation of a number of people, or if the perpetrator could have physically injured the other persons, the perpetrator is punishable with a prison sentence up to three years. In 1998, the Criminal Procedure Act was also adopted, which introduced the measure of a ban on approaching a specified place or persons (Article 195a) as an alternative measure to prison. The measure can also be passed if cause is given for a prison sentence, and there is a danger that the accused will destroy evidence of the crime, influence the witnesses, participants or co-perpetrators or repeat the crime, complete an attempted crime or commit an act by which she or he threatens, and the danger may be prevented by a ban on the accused approaching a specific place or persons. The court decides a suitable distance – distance from a specific place or person that the accused must respect and may not intentionally violate. If she or he does so, the court may order his or her detention.

According to data of the Ministry of Internal Affairs from 1999, in the previous ten years there were approximately 12,000 crimes and 80,000 violations with elements of violence in the family, and in more than 60% the victims were women. In less than half of the cases did the victim herself report the violence. In 2001, 22.1% of murder victims were women, women were the victims in 21.1% of cases of particularly serious physical injury, in 20.6% of cases of serious physical injury, in 23.4% of cases of light physical injury and in 24.3% of cases of threatening with a dangerous weapon during a brawl or fight. The number of crimes of threatening safety and brutal behaviours rose, since in the period from 1997-2001, there was a total of 8,254 such crimes, of which women were the victims in 3,825 cases (46.3%). The share of female victims of crimes against sexual inviolability, has somewhat lowered since the last report was made, but is still high. Of a total of 984 cases, women were the victims in 798 or 80.2% of cases. The share of female victims of crimes of violence rose markedly (in 1997 26.5%, and in 2001 60.1%), which can be explained by the aforementioned changes to the penal legislation which included in the crime of violence, violence in the family.

Table 1: Crimes against life and body and the share of women victims of such crimes, 1997-2001

Year		Murder	Particularly serious physical injury	Serious physical injury	Light physical injury	Threat with a dangerous weapon
1997	total	78	20	402	1018	347
	against women	21	3	76	219	78
	share of women	26.9	15.0	18.9	21.5	22.5
1998	total	60	12	377	1149	407
	against women	15	2	61	272	73
	share of women	25.0	16.7	16.2	23.7	17.9
1999	total	70	22	385	1223	397
	against women	16	7	66	285	77
	share of women	22.9	31.8	17.1	23.3	19.4
2000	total	75	21	418	1492	329
	against women	24	2	72	350	78
	share of women	32.0	9.5	17.2	23.5	23.7
2001	total	68	19	408	1796	403
	against women	15	4	84	421	98
	share of women	22.1	21.1	20.6	23.4	24.3

Source: Ministry of Internal Affairs, September 2002

In the recent period, the share of female victims of breaches of public order and peace increased: in 1997 this share was 29.4%, in 1999 37.4%, and in 2001 42.3%. Since 1999, violence in the family has also been defined as violence. In 1999, 2,345 or 11.7% such violations concerned violence in the family, in 2000 2,750 or 16.9%, and in 2001 2,553 or 15.4%. The majority of these violations were committed within the home (in 1999 84.1%, in 2000 89.1% and in 2001 89.9%), the remainder were committed in public (on the road, market, catering facilities etc.).

Table 2: Breaches against public order and peace and the share of female victims of such violations, 1996-2001

	Number of breaches of public order and peace	Number of women victims	Share of women victims
1996	30,817	8,708	28,3
1997	30,106	8,866	29,4
1998	29,581	8,754	29,6
1999	20,076	7,518	37,4
2000	16,236	6,800	41,9
2001	16,540	6,999	42,3

Source: Ministry of Internal Affairs, September 2002

A number of organisations currently operate in Slovenia, where women with children who are under pressure can seek help: these are shelters, homes for mothers and related organisations. Shelters (safe houses, shelters, crisis centres) are intended for women and children, victims of all forms of violence who need immediate withdrawal to a safe environment. Living in shelters lasts from 3 months to a maximum of one year, in crisis centres two days. Homes for mothers are meant for pregnant women and women with babies in the post-natal period and mothers

with young children, with whom social and/or economic risk prevail, and recently ever more frequently also victims of various forms of violence. The time of residence is from one year, with the possibility of extending the period to a maximum of two years. There are also so-called related organisations which supplement the activities of homes for mothers and shelters. One such are centres for helping victims of all types of crimes, which provide guidance and direct victims to suitable organisations for assistance, support and advocacy. In the National Social Protection Programme by 2005, among the programmes that the state will support in this period is the setting up of a network of homes for mothers and shelters for women, with a total framework capacity of 250 places and a network of centres for psychosocial help to the victims of violence.

In 2001, within the framework of the Ministry of Labour, Family and Social Affairs, an Expert Council for problems of violence against women has been established as an advisory body. It was founded on the initiative of non-governmental organisations operating in this field, and their tasks are care for preparation of expert bases and providing guidelines for the adoption of suitable legislation in the field of violence against women, and monitoring its implementation. The Expert Council has already provided some proposals of changes to the Penal Code relating to violence against women or in the family, including a proposal that violence in the family be defined as a specific crime. In this area, the functioning of non-governmental organisations is also important, since they manage the majority of shelters in Slovenia, and in addition carry out various other activities, such as education of police officers, prosecutors, social workers, programmes of assistance to violent persons, advocacy etc.

The Office for Equal Opportunities has carried out various activities in the area of violence against women, such as organising consultative meetings and campaigns, (co)financing projects of non-governmental organisations etc. The Office has been actively involved in activities devoted to protection of women victims of violence since 1999. At that time, activities took place as a unified project in which, in addition to the Office and the Commission of the National Assembly for Equal Opportunities Policy, and some ministries, non-governmental organisations dealing with problems of violence against women were also involved. At the time of the international days of action against violence against women (25.11 – 10.12) an extensive media campaign took place within the framework of the joint project – posters throughout Slovenia drew public attention to violence against women. There was an exhibition of posters in the National Assembly that had been sent into the competition »What's up, girl?«. The poster exhibition travelled around Slovene towns, and urban and municipal councils discussed the problem, and round tables and public debates took place. The campaign is still resounding today and signifies an important step on the way to informing the wider public about the problem of violence against women and its extent and forms of appearance. A positive effect of the campaign can also be detected in changed standpoints in the public media – insofar as in the past stereotype titles appeared with contributions about violence against women in daily papers on »black chronicle« pages, which often hinted at the woman's fault, in the period since the action they have been transformed into such that, if not entirely inclined to the victim, are at least neutral. In 2001, the Office prepared a resounding public presentation of one of the German federal and provincial acts on violence and an action plan against violence against women, and supported the translation and publication of a book »Violence against women – the responsibility of the police«. It is the first book in the Slovene language that gives the police guidelines for working with women, victims of violence.

5. Sexual harassment at work

The new Employment Relationships Act also bounds employers to assure sexual harassment free working environment. In Article 45 the act determines that an employer is obliged to guarantee a working environment in which no worker will be exposed to undesired treatment of a sexual nature, including undesired physical, verbal or non-verbal behaviour, or other behaviour based on gender, which would create intimidating, inimical or humiliating working relations and environment and insult the dignity of men and women at work. Rejecting the aforementioned treatment may not be a reason for discrimination in employment. If an employer behaves in conflict with the aforementioned provisions, in a case of dispute, she or he bears the burden of proof. If an employer does not ensure protection again sexual harassment, a worker may explicitly terminate an employment contract, in eight days after a preliminary warning to the employer on fulfilling his duties and a written warning about violations from a labour inspector. The act determines that in a case of such a termination, the worker has the right to redundancy determined for a case of ordinary termination of an employment contract for business reasons, to compensation at least to a level of pay lost for the period of notice (Article 112). A fine is specified for an employer that does not guarantee protection from sexual harassment, and supervision of its implementation will be performed by the labour inspectorate.

Article 6

TRAFFICKING IN WOMEN AND PROSTITUTION

The amendments to the Penal Code in 1999 brought changes to the description of the crime of pimping (Article 185) and serving as agent in prostitution (Article 186). The crime of pimping is now committed by anyone who for payment procures or enables sexual intercourse or other sexual act. The penalty is increased, with a perpetrator liable to three months to five years in prison. If the perpetrator procures a minor, he or she is liable to a prison sentence from one to ten years. The crime of dealing in prostitution is committed by a person who obtains, accustoms, incites or seduces another person to prostitution or in any other way enables their handing over to another person for prostitution or in any way co-operates in the organisation or managing of prostitution. The changes are above all that a single act of a perpetrator is now sufficient for both crimes.

Reports of crimes related to prostitution and trafficking in human beings are very rare, so the discovery of crimes is usually the result of concealed investigative measures of the police. In 2001, the police succeeded in identifying and collecting evidence against criminal associations dealing with prostitution and trafficking in human beings in 4 cases. Twenty (in 2000 – 11) crimes of pimping and dealing in prostitution were dealt with, of which 8 were the result of organised crime, and 2 (in 2000 – 2) the crime of enslavement. In 2001, 4 women were recorded as victims of the crime of enslavement dealt with by the police, and in 2000 one.

In December 2001, the Government of the Republic of Slovenia adopted a decision on appointing an inter-ministerial working group for the fight against trafficking in human beings, which functions as an expert advisory body. In January 2002, a working group for regulating the issue of voluntary prostitution was founded, the task of which is to study the prostitution in Slovenia. The working group must submit a report to the Government monthly, and by December 2002 should have formed a proposal for regulating the situation.

In 2001, the non-governmental organisation »Ključ – Centre for the Fight against Trafficking in Human Beings« was founded, whose basic tasks are developing and implementing preventive and curative programmes aimed to raise awareness of the general and professional publics and potential and actual victims of trafficking, mainly women and children, victims of resale and sexual exploitation, traffic in human organs and blood and all forms of forced labour. The purpose of the centre is also to offer the necessary help to victims of trafficking in human beings, help and assistance in their return to the country of origin, providing free advice to victims, encouraging and organising their co-operation with prosecution bodies and help in realising witness protection programmes.

Article 7

WOMEN IN POLITICAL AND PUBLIC LIFE

The constitutional provisions in relation to the right to vote and be elected are unchanged, but an amendment is in process of debate that refers to efforts towards a better balance of representation of women and men in political life. Article 44 of the Constitution of the Republic of Slovenia determines the right to participation in managing public affairs and, in compliance with this provision, every citizen has the right in accordance with law to participate directly or through elected representatives in the management of public affairs. A group of members of parliament submitted a draft of a constitutional law to the National Assembly on 30.11.2001, by which it proposes an amendment to this act, in such a way that it adds a new second paragraph that will determine that measures may be determined by law for encouraging equal opportunities of men and women in standing as candidates in elections to state bodies and bodies of local communities.

The new Act on Equal Opportunities for Women and Men also contains provisions that relate to the participation of women in political and public life. Article 31 imposes a duty on political parties entered in the register of parties. They must adopt a plan every four years in which they take a position on the issue of balanced representation of women and men and in accordance with the position, determine methods and measures for encouraging a more balanced representation of women and men within the bodies of the party, on candidate lists for election to the National Assembly and to bodies of local communities and for elections of the President of the Republic. Political parties must submit the plans to the Office for Equal Opportunities, within three months following their adoption. A political party that does not submit a plan is liable to a fine for a violation.

The Act on Equal Opportunities for Women and Men also contains two provisions relating to the representation of women and men in working and other bodies of the National Assembly, the Government and ministries. It determines in Article 10 that the National Assembly, in accordance with actual possibilities, respects to the greatest possible extent the principle of gender balanced representation in forming working bodies and composing delegations that it founds in accordance with its Standing Orders. A similar duty also applies to the Government, which must respect the principle of gender balanced representation in the composition of consultative and co-ordination bodies, other working bodies and delegations that it founds under the Government of the Republic of Slovenia Act and under its own Standing Orders, as well as in appointing or nominating government representatives in state-owned enterprises and

other public bodies, unless this is not possible for objective reasons (Article 14). This duty also binds ministers in the composition of expert councils.

1. Women in political parties

At the elections to the National Assembly of the Republic of Slovenia in 1992, 13.3% of women were elected, at the 1996 elections a mere 7.8%, and at the 2000 elections, this share again rose to 13.3%. There is a similar situation in relation to the representation of women in the National Council. At elections to the National Council of the Republic of Slovenia in 1992, of 40 members, one woman was elected, and in 1997 there were 5.

Table 3: Number of votes, seats and elected women members of the National Assembly, by party for 2000

Party	Elected			
	Votes cast %	Number of seats	Women number	Women %
Liberal Democracy of Slovenia LDS	36.21	34	5	14.7
Social Democratic Party of Slovenia SDS	15.80	14	0	0
United List of Social Democrats ZLSD	12.07	11	3	27.2
Slovene People's Party SLS	9.53	9	0	0
New Slovenia NSi	8.76	8	2	25.0
Democratic Pensioners Party DeSUS	5.16	4	0	0
Slovene National Party SNS	4.38	4	1	25.0
Youth Party of Slovenia SMS	4.33	4	0	0
Nationalities	-	2	1	50.0
TOTAL	-	90	12	13.3

Source: Office for Equal Opportunities – data on elected women members were collected from official data of the Voting Commission of the Republic of Slovenia

On candidate lists of political parties to the National Assembly, the share of women is slowly rising: in 1992 there were 16% women on candidate lists, and in 2000 23.5%.

Table 4: Share of women on candidate lists of all parties that stood at the elections to the National Assembly in 2000

Parties	Candidates		
	all number	women number	women %
United Greens	68	10	14.7
Liberal Democracy of Slovenia LDS	83	21	25.3
Democratic Party DS	77	11	14.2
New Party NOVA	64	44	68.7
Party of Democratic Action of Slovenia	36	3	8.3
Slovene National Party SNS	59	12	20.3
United List of Social Democrats ZLSD	87	29	33.3
Youth Party of Slovenia SMS	71	13	18.3
Communist Party of Slovenia KPS	18	3	16.6
Social Democratic Party of Slovenia SDS	86	11	12.7
New Slovenia NSi	87	14	16.0
Slovene People's Party SLS	86	11	12.7
Voice of Women of Slovenia	22	22	100.0
Democratic Pensioners' Party DeSUS	88	15	17.0
Onwards Slovenia	42	9	21.4
Štajerska Rural Party	14	5	35.7
Independents (altogether)	7	1	14.2
TOTAL	995	234	23.5
Italian Community	1	0	0
Hungarian Community	5	1	20.0
ALL TOGETHER	1001	235	23.4

Source: Office for Equal Opportunities – data on candidates are taken from the Public Proclamation of lists of confirmed candidate lists, Dnevnik 30.9.2000

Women are also inadequately represented at local level: at the local elections in 1994, 10.7% women councillors were elected to urban and municipal councils and 3.4% (or 5) women mayors, and at local elections in 1998, 11.7 women councillors and 4.2% (or 8) women mayors.

2. Women in the Government

Representation of women is also low in the Government of the Republic of Slovenia. In 1992, two women ministers were appointed, in 1996 none (except for four months prior to the new parliamentary elections when there was one female minister in the Government), and since the 2000 elections, there have been three women ministers in the Government (20%). There are 19% of women in the position of government functionary, and 51% of women in positions of senior administrative officer. Despite the fact that there are more women among senior administrative officers, there are few in the highest positions, for example, in the position of general secretary (29%) and state under-secretary (37%). A similar situation – low representation of women – is also observable in commissions and other working bodies of the Government of the Republic of Slovenia. A total of 462 members have been appointed to 40 commissions of the Government, of which 159 or 34.5% were women.

3. Women in the judiciary

The share of female judges in the judicial branch of power is higher than that of male judges, 66.7% of all judges being women. Their share is lowest in the Supreme Court (34.3%), and highest in district courts (76.2%). Although female judges predominate in the courts, except the Supreme Court and Higher Labour and Social Court, they are in positions of presidents of courts only in circuit, district and labour and social courts.

Table 5: Judges by type of court for the period 1998 to 2001

Court	1998			1999			2000			2001		
	total	female judges	% of female judges	total	female judges	% of female judges	total	female judges	% of female judges	all	total	% of female judges
district	272	195	77.7	277	203	73.3	276	209	75.7	290	221	76.2
circuit	208	134	64.4	221	144	65.2	229	144	62.9	225	143	63.6
higher	85	43	50.6	90	38	42.2	97	54	55.7	99	54	54.5
Supreme	31	9	31.2	30	8	26.7	33	11	33.3	35	12	34.3
Administrative	23	16	69.6	25	19	76.0	27	20	74.1	28	21	75.0
Higher DSS	14	7	50.0	14	7	50.0	15	7	46.7	17	8	47.1
DS and DSS	49	34	69.4	51	35	86.6	51	38	74.5	51	38	74.5
TOTAL	682	438	64.2	708	454	64.1	728	483	66.3	745	497	66.7

Source: Ministry of Justice, 9.10.2002
Note: DSS – labour and social courts

Among prosecutors the share of women (49.7%) is almost the same as the share of men. However, in the prosecutor's office the share of women among senior staff gets lower the higher we rise up the hierarchy of the prosecutor's office. In circuit public prosecutors offices, the share of women among senior staff is 52.4%, but in the supreme state prosecutor's office 20%.

4. Women in the economy

Women are also a minority in leading positions in other fields of public life: in science, culture, the economy, etc. In the largest companies and business systems in Slovenia, according to verified and consolidated balance sheets for 2000, there were no women among presidents of management boards and only 12.8% of women among members. The Government of the Republic of Slovenia appointed a total of 187 members to 42 supervisory boards, business councils and management boards of business operators (public companies, associations, funds etc.) for a four-year term of office. Among them there are only 42 women (22,3%).

5. Civil society initiatives

Within the framework of efforts for greater representation of women in political and public life, a civil society initiative, the Coalition for Establishing a Balanced Representation of Women and Men in Public Life, has emerged, which unites individuals from non-governmental and governmental organisations, parliamentary and non-parliamentary political parties and women's groups in political parties, trade unions, other forms of organised civil society, public and

private institutions and foundations. The main aim of the Coalition is encouraging and establishing balanced representation of women and men in public life, mainly by changing electoral legislation and with the introduction of the principle of balanced representation of women and men in all bodies of authority and in other decision-making places. In the opinion of the Coalition, the electoral legislation should determine that there must be an equal share of women and men on all candidate lists at local and national elections (zip system). The first result of the efforts of the coalition is the already mentioned proposed constitutional amendment, which a group of parliamentarians from seven parliamentary parties (75 out of 90 members of the National Assembly) have submitted to parliamentary procedure.

For preparing women in local elections in 2002, a Task Force for gender equality within the Stability Pact, in co-operation with the Office for Equal Opportunities, originated a project, Ženske to zmoremo II (Women Can Do It II). Within the framework of the project, six training seminars were organised, the contents adapted to the wishes and needs of individual parliamentary parties that joined the project. The main purpose of the training was to improve the operation of individual women's groups within political parties, to define problems that women recognise as crucial in politics and to form concrete solutions to the problems highlighted, so as to form an action plan within parties.

Article 8

WOMEN AS REPRESENTATIVES OF GOVERNMENT IN INTERNATIONAL ORGANISATIONS AND WOMEN IN DIPLOMACY

The Foreign Affairs Act of 2001 regulates conditions of employment in diplomacy, which does not differentiate between the sexes in employment. Under this act, a diplomat is a public servant permanently employed by the Ministry of Foreign Affairs who performs public tasks in the field of foreign affairs (Article 34). In relation to the composition of international delegations the equal opportunities for women and men is important, which binds the National Assembly and Government to respect the principle of gender balanced representation in the composition of delegations.

In diplomatic and consular offices of the Republic of Slovenia in 2001, a total of 158 diplomats were employed, of which 60 were women (38%). There was a total of 211 employed, of which 89 or 42.2% were women.

Table 6: Diplomats (26.11.2001)

Title	Total	Women	Women %
Ambassadors	31	4	12.9
General Consuls	7	1	14.3
Authorised ministers	13	2	15.4
Advisors	40	13	32.5
Consuls	6	3	50.0
1st secretaries	19	13	68.4
2nd secretaries	19	11	57.9
3rd secretaries	22	12	54.5
Attachés	1	1	100.0
Diplomats total	158	60	38.0

Source: Data of the Ministry of Foreign Affairs on 26.11.2001

Article 9

CITIZENSHIP

The situation has not changed since preparation of the Second Report under the Convention.

Article 10

EDUCATION

There have not been legislative changes in the field of education since preparation of the Second Report under the Convention.

1. Pre-school education

In 2000, 56.8% of children aged from 1 to 6 were enrolled in kindergartens, which is more than in 1997.

The number of children in kindergartens and programmes of preparation for school in 2000 increased, and the number of institutions, departments and staff also increased. In comparison with 1997, the share of girls among children enrolled in kindergartens and programmes of preparation for school remains almost the same.

Table 7: Kindergartens and preparation for primary school in the school years 1997/98-2000/01

Year	No. of institutions	Depart-ments	Children Total	No. of girls	% girls	Staff total	No. of women	% of women
1997/98	793	3468	62662	29912	47.7	6911	6821	98.7
1998/99	802	3455	62848	29226	46.5	7012	6935	98.9
1999/00	806	3523	64151	30639	47.8	7329	7272	99.2
2000/01	814	3531	63328	30350	47.9	7163	7022	98.0

Source: Ministry of Education, Science and Sport

Among children in kindergartens are also counted children who are not yet enrolled in nine-year primary schools and are preparing for school in such a way that they are enrolled in shorter programmes of kindergartens. Their share among children enrolled in kindergarten in 1999 amounted to 5.7%.

2. Primary and secondary school education

Statistical data eloquently reflects the falling number of children. The share of girls among primary and secondary school children remains approximately the same as the previous years.

Table 8: Schools, classes, pupils and professional staff by sex in the school years 1996/97 to 1999/2000

Year	Schools	Classes	Total pupils	Number of women	% women	Total professional staff	Number of women	% women
								Primary schools
1996/97	443	9367	200437	98017	48.9	15443	13146	85.1
1997/98	444	9308	194883	95479	49.0	15311	12983	84.8
1998/99	444	9210	189564	92694	48.9	15140	12820	84.7
1999/00	444	9117	185034	90358	48.8	15287	12989	85.0
								Secondary schools
1996/97	153	4003	104679	52174	49.8	8580	5229	60.9
1997/98	140	4065	104786	52786	50.4	8816	5466	62.0
1998/99	145	3989	103469	52214	50.5	8646	5474	63.3
1999/2000	149	4031	102969	51673	50.2	9351	5947	63.6
				Adults				
1999/2000	126	792	19449	9916	50,1			

Source: Ministry of Education, Science and Sport, 2002

The gender structure of those enrolled by field of study in secondary school education programmes in the years from 1997 to 2000 did not essentially change. Girls predominate in: textiles, leatherworking, health, social studies, pedagogic and personal services.

Table 9: Secondary schools – departments, pupils by areas of programmes, end of school year 1998/99 and 1999/2000

Departments	1998/99			1999/2000		
	Total	Number of girls	Girls %	Total	Number of girls	Girls %
TOTAL	**103469**	**52214**	**50.5**	**102969**	**51673**	**50.0**
Food production	5641	3024	53.6	5776	2984	51.7
Forestry	113	4	3.5	126	4	3.2
Leather production	137	123	89.8	77	64	83.1
Textiles	3235	3141	97.1	2481	2403	96.9
Chemistry, pharmacy, rubber production, non-metal production	1303	875	67.2	1190	796	66.9
Wood production	3339	67	2.0	3305	49	1.5
Civil engineering	2763	308	11.1	2622	245	9.3
Catering and tourism	5694	2509	44.1	5573	2356	42.3
Economics	22275	15270	68.6	21561	14553	67.5
Printing and paper	624	271	43.4	572	230	40.2
Electrical engineering and computer science	7592	88	1.2	7359	50	0.7
Metallurgy and mechanical engineering	9371	117	1.2	8515	74	0.9
Transport and communications	1011	325	32.1	1105	351	31.8
Mining	220	1	0.5	197	1	0.5
Healthcare	4954	3863	78.0	5119	3943	77.0
Education	802	791	98.6	931	915	98.3
Social sciences	1249	1111	88.9	1150	1025	89.1
Culture	703	510	72.5	667	478	71.7
General education	29138	17288	59.3	31426	18661	59.4
Personal services	2790	2503	89.7	2854	2467	86.4
Internal affairs	515	25	4.9	363	24	6.6

Source: Statistical Yearbook 2002

3. Two-year higher and higher education studies

Data on students at universities and higher education institutions in recent years show that the number of young people who wish to continue education after completing secondary school is growing. There were 88,100 students in total enrolled, of which 58.8% were women.

Table 10: Enrolled students and graduates at universities and independent higher education institutions, by sex

Year	Enrolled			Graduated		
	Total	Women	Women %	Total	Women	Women %
1995	45951	26126	56.9	6419	3809	59.3
1996	50667	28660	56.6	7724	4658	60.3
1997	64678	36149	55.9	8011	4929	61.5
1998	74642	42507	56.9	8612	5043	58.5
1999	77609	44459	57.3	9345	5499	58.8
2000	82812	47460	57.3	10232	6060	59.2
2001	88100	51800	58.8	10375	6434	62.0

Source: Statistical Yearbook 2002

In 2000, there were no essential changes in relation to choice of studies. As in past years, women still markedly predominate in higher education and at faculties devoted to the areas of health and social work and pedagogic work. The share of female students also appreciably exceeds that of male students at the Faculty of Economics, Faculty of Social Sciences, Faculty of Pharmacy and Medical Faculty and in some departments of the Natural Sciences and Biotechnical Faculties. Fewest girls are enrolled in the Faculty of Engineering and the Faculty of Electrical Engineering, Computer Sciences and Informatics.

Gender differences are lessening year by year in masters and doctoral studies. In 2001, women already predominated among masters, there being 454 women (50.1%) among 905 masters, and among doctors of science, slightly less than half were women (146 or 48.9%).

4. Life-long education

One of the strategic aims of the development of the labour market and employment to 2006 is raising the level of education of the active population and its level of qualification. Slovenia, which is only at the start of introducing the concept of life-long learning, put the development of the culture of life-long learning among key guidelines and measures in the National Programme of Development of the Labour Market and Employment to 2006. The development of life-long learning is being encouraged with the following measures:

- the development of new programmes that will enable obtaining knowledge for raising the quality of life, level of information, cultural and civilisation levels, for preserving cultural tradition and national identity, for the co-existence of different cultures and for protecting the environment,
- the development of programmes that will enable the possibility of education for raising the educational level at all stages,
- secondary school education will be the basic educational standard,
- ensuring (in co-operation with social partners) various forms and possibilities of education of employed and unemployed persons, and by priority to those who are less well educated and trained: for raising the achieved level of formal education and qualification, for preserving, up-dating and deepening knowledge and qualification and for developing and using top knowledge,
- introducing various motivational factors for increasing the level of education and qualification,

- development of informal forms of obtaining knowledge and certificating knowledge obtained by informal means (certificates of vocational or professional training),
- improving the quality of adult education,
- encouraging motivation and investment in education among individuals and in companies,
- encouraging the local level for planning development of and investment in education,
- harmonising initiatives and measures for implementing the national programme of adult education.

Article 11

EMPLOYMENT

1. Women on the labour market

Under the Constitution (Article 49) women and men are guaranteed freedom of work, the free choice of employment and access to all positions of employment. The Employment Relationships Act that was adopted on 24 April 2002 and takes effect on 1 January 2003, specifically bans discrimination in Article 6. It determines that an employer may not place a job seeker or a worker during the duration of employment and in connection with the termination of an employment contract, in an unequal position because of sex, race, skin colour, age, health state or disability, religious, political or other conviction, membership of a trade union, national or social origin, family status, property status, sexual orientation or any other personal circumstance. It further determines that women and men must be guaranteed equal opportunities and equal treatment in employment, promotion, training, education, retraining, pay and other remuneration, bonuses, absence from work, working conditions, working time and termination of an employment contract. It thus prohibits indirect and direct discrimination whereby the act also contains a definition of indirect discrimination. If a candidate or a worker in the event of dispute cites facts that justify the suspicion that there has been a violation of the prohibition of discrimination because of circumstances stated in the article, the burden of proof (that different treatment is justified by the type and nature of the work) lies with the employer. In the event of a violation of the ban on discrimination, the employer is then liable to the candidate or worker for damages under the general rules of civil law.

The act also determines (Article 25) that an employer may not advertise a vacant working position only for men or only for women or indicate that preference will be given to one or other gender, unless the specific gender is an essential condition for performing the work. Similarly, an employer, in concluding an employment contract, may not require data from a candidate on family or marital status, data on pregnancy, on family planning or other information unless they are directly related to the employment. An employer may not condition the conclusion of an employment contract on obtaining such data or on additional conditions in connection with a prohibition of pregnancy or postponement of maternity or on the prior signing of a termination of the employment contract by the worker (Article 26). The act determines (Article 27) that a candidate is not obliged to answer questions not directly related to the employment.

The Employment Relationships Act also bans sexual harassment at the workplace. Provisions on guaranteeing sexual harassment free working environment are described under reporting on article 5 of the Convention (paragraph 5).

The Employment Relationships Act also determines the principle of equal pay for equal work and work of equal value. Under the act, an employer is bound to pay the same salary to a worker, regardless of gender. Provisions of employment contracts, collective agreements or general acts of an employer that are in conflict with this are therefore null (Article 133).

The act prescribes a fine of 1,000,000 SIT (435 USD) for an employer (legal entity) for committing a violation and placing a job seeker or worker in an unequal position (Article 229).

1.1. Employment

The activity rate of the population slightly fell from 1998 to 2002 (data are from the second quarter), and similarly the employment/population ratio. However, the employment/population ratio of persons aged from 15 – 64 years increased, among both women and men. With women, the employment/population is highest in the age group from 35-39 years (89.9% in 2002/2), followed by the age group from 30-34 (86.9%) and from 40-44 (86%).

Table 11: Activity rate by sex, Slovenia, 1998/2-2002/22/2

	1998/2	1999/2	2000/2	2001/2	2002/2
Total					
Activity rate	60	58.3	57.7	57.8	58.1
Employment/population ratio	55.4	54	53.6	54.4	54.7
Employment/population ratio 15-64	63.6	62.8	62.7	62.7	64.3
Men					
Activity rate	66.6	65.1	64.1	64.8	64.7
Employment/population ratio	61.6	60.4	59.6	61.2	61.1
Employment/population ratio 15-64	67.6	67.2	66.8	66.8	68.7
Women					
Activity rate	53.7	51.9	51.7	51.3	51.9
Employment/population ratio	49.6	47.9	47.9	48.1	48.6
Employment/population ratio 15-64	59.6	58.4	58.6	58.6	59.8

Source: Statistical Office of the Republic of Slovenia, Labour Force Survey, 1998-2002

In the second quarter of 2002 among women in employment, there were 87% of women with the status persons in paid employment, 6.8% self-employed and 6.1% with the status of unpaid family workers. Among all persons in employment, the share of women among persons in paid employment was 47.6%, self-employed persons 28.7% and unpaid family workers 61.6%. This is a similar situation to that in 1997.

Women in employment, as in past years, predominate in specific activities. There are most in services, and least in industry (except services) activities.

Table 12: Share of women among persons in employment by sectors of activity, Slovenia, 1997/2-2002/2

	1997/2	1998/2	1999/2	2000/2	2001/2	2002/2
Total	46.3	46.3	46.0	46.2	45.6	45.8
Agriculture	48.2	47.2	46.9	46.7	44.6	45.9
Industry (except services)	34.9	35.2	33.8	34.8	34.3	33.9
Mining and quarrying				13.7	.	.
Manufacturing	41.0	40.9	39.2	40.5	40.3	39.6
Electricity, gas and water supply	15.4	12.5		18.4	11.1	((14.0))
Construction	10.9	11.7	8.9	9.9	11	(9.4)
Services	56.0	55.2	55.0	54.3	54.5	54.8
Wholesale, retail; certain repair	52.3	50.3	51.4	52.1	50.2	52.1
Hotels and restaurants	65.8	60.0	55.9	57.9	62.8	62.1
Transport, storage and communications	19.6	24.3	20.4	22.7	24	22.9
Financial intermediation	66.7	72.7	71.4	67.7	63.7	62.6
Real estate, renting and business activities	50.0	45.0	49.0	42.9	44.2	44.5
Public administration, defence, compulsory social security	52.8	53.9	49.0	50.1	52.2	50.6
Education	78.5	77.1	76.7	78.7	76	76.4
Health and social work	81.1	79.3	80.0	79.9	78.1	76.6
Other social and personal services	49.7	49.8	52.8	50.6	49.7	51.4

Source: Statistical Office of the Republic of Slovenia, Labour Force Survey (own calculations), 1998-2002.

Of the total number of women in employment in 2002/2, 91.7% worked full-time, which is slightly less than men (94.8%). On average, women work 40.3 hours a week (men 42.5 hours).

Women predominate in professions such as clerks, services and sales workers, professionals and technicians. In leading working posts such as legislators and managers, there are 29.1% women (2002/2).

Table 13: Share of women among persons in employment by main groups of occupation, Slovenia, 1998-2002

	1998/2	1999/2	2000/1	2001/2	2002/2
Total	46.3	46.0	46.0	46.2	45.8
Legislators and managers	25.7	31.1	31.3	30.2	29.1
Professionals	61.2	60.0	61.6	61.4	57.7
Technicians	46.6	44.7	47.3	49.1	53.8
Clerks	70.8	70.3	69.1	68.9	65.0
Service and sales workers	64.8	64.0	61.4	62.7	64.0
Agriculture and fishery workers	47.2	47.5	45.9	45.6	46.6
Craft and related trade workers	7.0	5.9	5.9	6.0	9.0
Plant and machine operators and assemblers	37.9	36.6	38.1	37.6	37.3
Elementary occupations	64.7	69.7	65.5	62.8	55.8

Source: Statistical Office of the Republic of Slovenia, Labour Force Survey, 1998-2002

On average, women in Slovenia in companies, businesses and organisations according to level of professional skills (2000) earned 87.8% of the pay of men or 12.2% less than men. The greatest difference is between persons of high education (20.7%) and lowest among unqualified persons (12%).

Table 14: Average monthly gross earnings of employed women in companies, businesses and organisations as a share of men's average monthly gross earnings by level of professional skills required by post, 2000

	Total	University degree			Non-university degree	Secondary prof. degree	Lower prof. degree	Highly skilled workers	Skilled workers	Semi-skilled workers	Unskilled workers
		doctors	masters	all							
2000	87.8	85.9	83.2	79.3	87.5	88.5	85.9	83.0	80.1	84.8	88.0

Source: Statistical Office of the Republic of Slovenia, 2000

1.2. Unemployment

In the last three years, there has been a marked fall in unemployment, which is mainly a result of greater activity of unemployed persons in seeking jobs, changes to the status of those included in programmes of public works, increased supervision of the activities of unemployed persons and the effects of measures of active employment policy. In comparison with 1997, the number of unemployed persons and the level of surveyed (Labour Force Survey) unemployment have been reduced. The level of unemployment of women in the period from 1997 to 2002 (2nd quarter) was higher than with men. In 2002/2, the level of surveyed unemployment amounted to 6.3% among women and 5.7% among men, and the level of registered unemployment 12.9% among women and 10.2% among men.

Table 15: Basic characteristics of unemployed persons by sex, Slovenia, 1998-2002

	1998/2	1999/2	2000/2	2001/2	2002/2
Total					
Unemployed persons (1000)	75	71	69	68	58
- registered at the NEO*	62	57	57	55	48
- first job seekers	22	19	22	20	16
Unemployment rate (%)	7.7	7.4	7.2	6.9	5.9
Men					
Unemployed persons (1000)	40	37	36	34	30
- registered at the NEO*	32	28	29	26	23
- first job seekers	11	(9)	10	9	(7)
Unemployment rate (%)	7.6	7.2	7	6.4	5.7
Women					
Unemployed persons (1000)	35	34	33	34	28
- registered at the NEO*	30	29	28	29	25
- first job seekers	(10)	(10)	12	10	(8)
Unemployment rate (%)	7.7	7.6	7.4	7.6	6.3

Source: Statistical Office of the Republic of Slovenia, Labour Force Survey, 1998-2002

* NEO: National Employment Office

1.2.1. Educational structure of unemployed persons

Education is one of the factors that effect employment opportunities. Among registered unemployed persons, there still remain mainly persons with low levels of education or persons with education for which there is no demand on the labour market. The largest number of unemployed persons have levels I and II education (2001). Their share of the average number of registered unemployed persons was 47%. The share of women among them amounted to 50.8%. In comparison with 1997, there has not been any significant changes in the share of women among registered unemployed persons by level of education.

Table 16: Structure of registered unemployed persons by level of education and shares of women, 31.12.2001

Education level	All	Women	Share of women (%)
1st level	42048	21340	50.8
2nd level	6774	2544	37.6
3rd level	1518	944	62.2
4th level	25987	12050	46.4
5th level	23129	13422	58.0
6th level	2212	1106	50.0
7th level	2648	1557	58.8
Total	104316	52963	50.8

Source: National Employment Office, Annual Report 2001

1.2.2. Age structure of unemployed persons

The age structure of registered unemployed persons shows that at the end of 2001, the most unemployed persons were over 50 years of age (25.6%). Older persons have more difficulty finding employment, since employers give priority in employment to younger candidates and they have ever higher requirements with respect to education level. Older persons also for the most part do not have suitable education. Among registered unemployed persons, women predominate in the age group above 25-30 years and above 35-40 years.

Table 17: Age structure of registered unemployed persons by sex, 31.12. 2001

Age group	All	Women	Share of women (%)
Up to 18	523	216	41.3
Over 18 to 25	22924	11916	52.0
Over 25 to 30	12588	7237	57.5
Over 30 to 40	17287	9752	56.4
Over 40 to 50	24249	12545	51.7
Over 50 to 60	25492	11192	43.9
Over 60	1253	105	8.4
Total	104316	52963	50.8

Source: National Employment Office, Annual Report 2001

Because of the greater inclusion of unemployed persons in programmes of active employment policy and greater control of the activities of unemployed persons, the number of long-term unemployed persons has begun to fall. In the period December 1997 - December 2001, the number of registered unemployed persons without a job for more than one year fell by 25.5%. The share of women among the long-term unemployed slightly increased from 1997-2001, from 49.3% to 50.9%.

1.3. Protection of pregnancy and parenthood

In order to prevent discrimination based on parenthood and to enable parents to reconcile professional and family life, the new Employment Relationships Act also contains provisions on special protection of workers because of pregnancy and parenthood, and the Parental Care and Family Income Act regulates the right to parental leave.

According to the Employment Relationships Act, an employer may not terminate an employment contract of a worker during pregnancy and throughout the period of breast feeding a child, or of parents during the time when they are using parental leave in the form of full absence from work. The employment of workers in such cases may not cease because of termination by the employer. If an employer at the time of a dismissal does not know about the pregnancy of the worker, special legal protection from dismissal applies if the worker immediately, or in the case of obstacles not occurring through her own fault, immediately after these cease, informs the employer of her pregnancy, which she demonstrates by submitting a medical certificate. Irrespective of this, an employer may terminate an employment contract and the employment of a worker may cease after prior consent of a labour inspector, if reasons exist for an extraordinary termination or because of the introduction of a process of closure of the employer or forced settlement.

The Employment Relationships Act devotes particular attention to the protection of pregnancy and parenthood. Because of pregnancy and parenthood, workers have the right to special protection in employment, in the event of dispute in connection with exercising special protection because of pregnancy and parenthood, the burden of proof lies with the employer. Similarly, an employer must enable workers easier reconciliation of family and professional obligations.

Furthermore, the act determines that an employer may not during the duration of employment demand or seek any kind of data on the pregnancy of a worker unless she herself permits this in order to exercise rights during pregnancy. The act also provides that during pregnancy and throughout the time when she is breast-feeding the child, a worker may not perform work by which she is exposed to risk factors or working conditions that the minister responsible for labour, in agreement with the minister responsible for health, determines by executive regulations. If a worker during pregnancy and throughout the time of breast-feeding the child performs work by which she is exposed to risk factors, procedures and working conditions determined by executive regulations and for which it follows from the risk assessment that there is a hazard to her health or the health of the child, the employer must take appropriate measures through the temporary adjustment of working conditions or adjustment of working time. If despite the adjustment of working conditions or working time it is impossible to avoid the hazard to the health of the worker or the health of the child, or if it is work in which she is exposed to risk factors or working conditions determined by executive regulations, the employer must guarantee the worker the performance of other suitable work and the pay that she would receive for performing her own work if this is more favourable for her. If the employer does not provide other suitable work, during the time that a worker is for this reason absent from work, the employer must provide compensation pay in compliance with the provisions of the act.

1.4. Programmes and measures of the employment policy

In the area of the labour market and employment, several strategic documents have been adopted, the aim of which is encouraging active forms of increasing employability and solving problems of unemployment. All these documents devote special attention to equal opportunities for women and men. The National Programme on the Development of Labour Market and Employment by 2006, which was adopted in 2001, also states among key guidelines and measures guaranteeing equal access to the labour market. Guaranteeing equal opportunities for women and men and reconciliation between professional and family life will be ensured by the following measures: increasing equal opportunities for employment or activity in all professions and activities, provided special support for women in founding their own companies, ensuring an increased participation of women in programmes of education and training, reducing segregation on the labour market and pay gaps between women and men, developing measures for preventing, discovering and eliminating all forms of discrimination in job seeking and access to employment, retaining and promotion in employment and access to rights and benefits from employment. The national programme is implemented through Employment Relationships Action programmes, which the Government adopts. In 2001, within the framework of the Employment Relationships Action Programme and Programmes of Active Employment Policy, a programme of promotion of women's entrepreneurship was carried out, the aim of which was setting up a system and programmes of encouragement, monitoring and developing the advancement of women in this field. The results of the programme were: setting up an information centre for monitoring and support of establishing women on the labour

market, a published analysis of participation of women on the labour market, 30 trained professional associates – promoters of women's entrepreneurship, links with international institutions and a public call for tenders for co-financing preparation of projects for promotion of entrepreneurship and the participation of women on the labour market at a local level. In 2002 and 2003, the Guidelines of Active Employment Policy for 2002 and 2003 and Programmes of Active Employment Policy for 2002 envisaged the following measures: programmes of active employment policy for women, encouraging women's entrepreneurship and the development of new professions for women. In addition to these special measures and programmes, which are devoted to women, women are also included in all other measures and programmes.

Guaranteeing equal opportunities – improving access of women to the labour market and their participation in it is also one of the programmes in the framework of priority development tasks »Knowledge, development of human resources and employment« in the proposed State Development Programme RS 2001-2006.

The Programme of Active Employment Policy has been taking place for reducing the number of unemployed persons in Slovenia for some years already, in the framework of which a range of activities is carried out. Women predominate in some programmes (e.g., programmes of education and training and informing and motivating, workshops for job seekers, clubs for job seekers, etc.).

2. Right to Social Security

2.1. Rights from pension insurance

In 2000, a Pension and Disability Insurance Act was adopted. Rights and obligations of insured persons, among others also in relation to inclusion in insurance, payment of contributions, exercising, retaining and losing rights, are guaranteed to women and men equally. Different treatment of insurees in relation to gender remains in determining conditions for obtaining rights to old age pension (paragraphs 2 and 3 of Article 36). Circumstances in the Republic of Slovenia, for the moment do not allow complete equalising of retirement conditions, so the retirement age for women with the same pensionable period is two years lower than for men. Women may thus retire if they fulfil 20 years pensionable period at 61, and men at 63; on completion of at least 15 years pensionable period, women may retire at 63 and men at 65. Both women and men may retire at the same age of 58 years, but in that case a two-year lower pensionable period is defined for women – 38 years for women and 40 years for men. In order that because of the different retirement conditions women will not be indirectly discriminated against in calculating pension, the starting calculation percentage (for a 15 year pensionable period) for women is higher (38%) than for men (35%). Equality is thus achieved in the level of calculated percentage pension, since both women and men at the age of 58 and 38 or 40 years period of work receive a pension at a level of 72.5% of the calculated basis. The Pension and Disability Insurance Act also contains special provisions that retirement conditions in pension schemes adopted by an employer may not be determined differently in relation to the sex of the insured person (paragraph 2 of Article 37).

The age limit for obtaining the rights to old age pension are lowered for each child (for one child by 8 months, for two by 20 months, for 3 by 36 months, and for each further child the reduction of the age boundary is increased by 20 months), and both men and women are

entitled to this. The parents agree on which of the parents will exercise the reduction for each child; if they cannot agree, the one that has to a predominant extent exercised the right to parental leave is entitled. If neither have exercised this right and if they have both made use of it equally, then the woman is entitled to the reduction of the age boundary (Article 37).

2.2. Right to healthcare and protection at work

According to the new Health and Safety at Work Act, each employer must produce and adopt a safety declaration in written form, by which he or she determines methods and measures for guaranteeing safety and health at work (Article 14). The requirements of the declaration are arranged in detail in the Rules on Method of Drawing up the Safety Statement with Risk Assessment, which have been in force since 21.4.2000. The act also determines that an employer must ensure that pregnant workers are informed of the results of the risk assessment and about measures of the employer for safety and health at work (Article 23).

2.3. Maternity and parental leave

In November 2001, the Parental Care and Family Income Act was adopted, which took effect on 1.1.2002. The Act regulates two complexes of rights: insurance for parental protection and rights deriving from this, and family benefits.

Rights deriving from parental care insurance are parental leave (maternity leave, paternity leave, leave for childcare, adopter's leave), parental benefit (maternity benefit, paternity benefit, childcare benefit and adopter's benefit) and the right to shortened working time because of parenthood. Persons included in insurance for parental care are entitled to rights deriving from insurance for parental care and pay a parental care contribution.

Maternity leave (Articles 17-22) lasts 105 calendar days (the same as before), and a mother must start it 28 or 42 (if she so wishes) days prior to the envisaged date of birth determined by the gynaecologist. The right to maternity leave may also be exercised by the father or other person if the mother of the child dies, abandons the child or if in the opinion of a competent physician she is permanently or temporarily unable to work. In a case in which the mother is younger than 18 years and has the status of apprentice, pupil or student, the right to maternal leave may be exercised with her agreement by the father of the child or one of the grandparents.

Paternity leave (Articles 23-25), which is an essential innovation of the new arrangement of parental leave, amounts to 90 calendar days. Of this, the father must make use of 15 days during the maternity leave of the mother (these 15 days may not be used later), and 75 days may be used up to 8 years of age of the child (thus during the maternity leave of the mother, during childcare leave or until the child reaches 8 years of age). The right to paternity leave takes effect gradually, to wit, from 1.1.2003 – 15 days, from 1.1.2004 – 45 days and from 1.1.2005 – 90 days. The right accrues to the father only, and may not be transferred to another person. With this right we wish to involve men in the care of children from the earliest period and thus achieve better reconciliation of professional and parental obligations for both men and women.

Childcare leave (Article 26-34) accrues to those eligible immediately after the expiry of maternity leave and it is intended for ongoing care of the child. It lasts the same as before, 260 calendar days, and may in certain cases be extended:

- if the mother has given birth to twins, the leave is extended by 90 days;
- if the mother has given birth to more than two live-born children, for each further child leave is extended by 90 days;
- if the mother gives birth prematurely, the leave is extended for the number of days that the pregnancy was shorter than 260 days;
- on birth of a child which needs special care, leave is extended by an additional 90 days (based on the opinion of the medical commission of the Paediatric Clinic in Ljubljana); this right may be exercised until the child is 18 months old;
- if the parent is already caring for at least two children aged up to 8 years at home, leave is extended by 30 days, for 3 children for 60 days and for four or more children by 90 days.

These rights are cumulative (e.g., if a mother gives birth to twins and is already caring for three children at home, her leave will be extended by 150 days).

Under the new act, childcare leave is no longer an original right of the mother but both parents, which means that the parents must agree on the manner of exercising this right. Use of the right is flexible. The parents may exercise it in the form of full or partial absence from work, alternately in the case of partial absence, which means that they each, for example, work four hours, or one part of the childcare leave can be used by the mother and the other half by the father. Exceptionally, both parents can be simultaneously at home with the child/children, but only in the case of longer leaves (because of twins and multiple birth children, because of a child that needs special care or because of the birth of a child into a family in which the parents are already caring for two children aged up to 8 years at the time of the birth of the child). The parents may defer part of the childcare leave (maximum 75 days) and use it until the child is eight years old.

One of the grandparents may also, with the consent of the mother, exercise the right to childcare leave if the father does not exercise this right and the mother of the child is under 18 years and has the status of apprentice, pupil or student. In this case, the leave is the same length as applies for the mother or father, reduced by the number of days that the mother or father of the child have already used.

Adoption leave (Articles 35-37) is leave intended for one or both adoptive parents, for the purpose of the adoptive parent and child being able to devote themselves to each other completely immediately after the adoption. If the child is aged from 1 to 4 years at adoption, the adoption leave lasts 150 days, and if the child is from 4 to 10 years for 120 days. One or both parents simultaneously may use the leave, but the total duration of the leave may not exceed 150 or 120 days.

Parental benefit (Articles 38 to 49) is compensation of pay or personal receipts deriving from insurance for parental protection. The right to it is held by persons who have the right to parental leave and were insured under this act prior to the day on which the individual type of parental leave takes effect, and persons who do not have the right to parental leave if they were insured under this act for at least 12 months in the last three years prior to the occurrence of individual types of parental leave. The right to parental benefit is held by persons during the use of parental leave, except for paternity leave when for the first 15 days the father is entitled to paternity benefit, and for the remaining 75 days the state guarantees the father the payment of social security contributions based on minimum pay. Parental benefit is calculated uniformly

for all types of benefit, except for maternity leave, with which there is no applicable upper limit. The level of benefit is 100% of the average base pay in the last 12 months, if the person entitled was insured in the last year for the entire period, but not less than 55% of minimum pay in the Republic of Slovenia and a maximum of 2.5 times the average monthly pay in the Republic of Slovenia during the time of calculation. If the person entitled was not insured for the last twelve months, the calculation is made by a special key on the basis of the act.

An innovation that the Parental Care and Family Income Act brought is credit. If the parent or other person does not use the childcare leave to the extent to which he or she is entitled, the remaining part of the childcare leave may be used in the form of credit, which can be used for the purpose of paying for childcare, payment of rent for accommodation and for meeting housing needs (purchase of an apartment or house, adaptation of an apartment or house, building a house). The level of credit is the same as the level of unpaid benefit for childcare, but a maximum of 5 times the appropriate monthly benefit for childcare leave.

The act also enables part-time working (not less than half the weekly working obligation) for one of the parents who is caring for the child, up to the age of three years of the child.

Although fathers have the possibility of using childcare leave, this possibility is used to date by less than 1%. In order that fathers use the paternity leave that is introduced by the Parental Care and Family Income Act and in order that they should to a greater extent use childcare leave, the Office for Equal Opportunities and the Ministry of Labour, Family and Social Affairs will carry out various activities in 2003 (designing a website on the internet, issuing informative materials, etc.).

As has already been mentioned in the section on education (Article 10) we have a well organised network of both public and private childcare in Slovenia. Since the price of programmes of pre-school care in public childcare that parents pay is dependent on the income per family member, access to public childcare is enabled for all parents, regardless of income.

Article 12

WOMEN'S HEALTH

1. Healthcare in the Republic of Slovenia

In the period since the Second Report was made, two proposed changes to acts relating specifically to healthcare of women or their reproductive rights have been debated – the Infertility Treatment and Procedures of Biomedically-Assisted Procreation Act and the proposed new Health Insurance Act.

Rights to establishing the causes and treating reduced fertility have been regulated since 1977 by the Health Measures in Exercising Freedom of Choice in Childbearing Act. Medical progress has opened new legal questions in connection with procedures of treating infertility and fertilisation with biomedical assistance, which this law did not cover, so the new law was urgently necessary. The proposed Infertility Treatment and Procedures of Biomedically-Assisted Procreation Act was the subject of numerous polemical discussions from the very start of debate in the National Assembly. It was complicated above all in connection with the adoption of the proposed Article 5, which determines those entitled to procedures of

fertilisation with biomedical assistance. Under this article, only men and women who are living in wedlock or in an extra-marital community are entitled to the procedures, which meant removing the right that under the Health Measures in Exercising Freedom of Choice in Childbearing Act was held by every adult legally competent and healthy woman in the age period suitable for childbirth. Prior to the third reading of the proposed new act, one of the parliamentary groups submitted an amendment to the article by which the procedure of fertilisation with biomedical assistance was an entitlement of all women, but it was not adopted. The parliamentary group therefore submitted a proposed amendment to the act with the same content. The amended act was adopted by the National Assembly by accelerated procedure, but at the demand of 34 parliamentary members who strongly opposed the amendment to the article, a subsequent legislative referendum was held on amendments and supplements to the Infertility Treatment and Procedures of Biomedically-Assisted Procreation Act. At the referendum, the amendment was rejected so that under the valid law, only women who live in wedlock or in an extra-marital partnership are entitled to procedures of fertilisation with biomedical assistance.

In the middle of June 2002, three members of parliament submitted a proposed Health Insurance Act, which had been formed by a group of experts from the Health Insurance Institute of Slovenia. In the proposed article that defines the extent of rights to health services under compulsory health insurance, it was written that the aforementioned insurance covers »examinations of women in connection with advice in family planning, pregnancy, home care visits prior to childbirth and after it, services of early discovery of disease and risk factors in the period of fertility in accordance with specific programmes«. Nowhere was it mentioned the right to coverage of costs associated with the artificial termination of pregnancy and sterilisation. On this basis, it could be concluded the proposed act envisages self-paid services for such interventions. The proposed new act was in conflict with the Health Care and Health Insurance Act, under which compulsory health insurance guarantees payment to a specific percentage also for artificial termination of pregnancy. In this way, the right to free decision-making on the birth of children, guaranteed by the Constitution, would have been taken away from women. The proposed Health Insurance Act was withdrawn from parliamentary procedure in September 2002, and a new act is in preparation, which is being prepared by the Ministry of Health.

2. The state of health of women

2.1. Reproductive health

Healthcare for women is an integral part of the reproductive healthcare of the population of both sexes and ages. Slovenia has a developed system of institutions of healthcare for women on the level of primary healthcare activities (general clinics for women) and in the form of specialist clinics (gynaecological clinics).

Table 18: Level of care of women aged 15 years and over, with healthcare personnel for 1998 and 2000

	Number of physicians		Number of women /over 15/ per physician	
	Regularly employed physicians	From working hours	Permanently employed physicians	From working hours
1998	104	93.4	8243.8	9182.4
2000	101	119.3	8580.9	7264.4

Source: Healthcare Statistical Yearbook, Slovenia, 1998 and Healthcare Statistical Yearbook, Slovenia, 2000

Table 19: Preventive visits to general clinics for women and share referred to specialists and hospitals, 1998 and 2000

	All visits	All preventive visits		Preventive visits					
			%	Pregnancy	%	Contraception	%	Other reasons	%
1998	688724	340417	49.4	108825	31.9	153419	45.0	78173	22.9
2000	802053	384005	47.9	112724	29.4	157743	41.1	113538	29.6

Source: Healthcare Statistical Yearbook, Slovenia, 1998 and Healthcare Statistical Yearbook, Slovenia, 2000

Table 20: Curative visits to general clinics for women, 1998 and 2000

	All visits	All curative visits	First curative visits		Referred to specialists		Referred to hospitals	
			Number	%	Number	%	Number	%
1998	688724	348307	197826	56.8	25854	3.7	23265	3.3
2000	802053	418048	229272	54.8	31675	4.0	24081	3.0

Source: Healthcare Statistical Yearbook, Slovenia, 1998 and Healthcare Statistical Yearbook, Slovenia, 2000

2.2 Morbidity and mortality of women and maternal mortality

We have achieved success in Slovenia in the area of reduced infant mortality, which amounted to 5.2 per thousand live births in 1998 and 4.9 per 1000 live births in 2000.

In comparison with the Second Report, maternal mortality (mortality during pregnancy, childbirth and the post-natal period) remains disturbingly high. In 1996, 26 women died per 100,000 live-born children, and in 2000 this number increased slightly to 27.8 maternal mortalities per 100,000 live born children. Such a situation ranks Slovenia among European countries with a high level of maternal mortality. The most frequent causes of death during pregnancy, childbirth and the post-natal period are haemorrhaging during pregnancy and after birth, and septic conditions.

The most frequent diseases and causes of death in Slovenia are diseases of the heart and arteries and cancer. The cancer incidence is rising from year to year. With women, breast cancer is the most common, followed by skin cancer, cancer of the large intestine and rectum, cancer of the body of the uterus, cancer of the neck of the uterus and lung cancer.

Table 21: Most frequent diseases (diagnoses) according to MKB-10 codes and sex in 2000

Disease	All		Men			Women		
	Number	%	Number	Share M. %	Share all %	Number	Share W.%	Share all %
Total	***273896***	***100.0***	***122178***	***100.0***	***44.6***	***153441***	***100.0***	***56.0***
Infectious and parasitic diseases	9786	3.6	4873	3.9	49.8	4963	3.2	50.7
Neoplasm	34367	12.5	15790	12.9	45.9	18851	12.3	54.8
Diseases of the blood and the blood-forming organs	2896	1.1	1266	1.0	43.7	1636	1.1	56.5
Endocrine diseases, diseases of nutrition and metabolism	6610	2.4	2697	2.2	40.8	3938	2.6	59.6
Mental and behavioural disturbances	11263	4.1	6027	4.9	53.5	5274	3.4	46.8
Diseases of the central nervous system	7259	2.7	3479	2.9	47.9	3816	2.5	52.6
Diseases of the eyes and adnexes	7273	2.7	3019	2.5	41.5	4272	2.8	58.7
Diseases of the ears and mastoids	1907	0.7	966	0.8	50.7	949	0.6	49.8
Diseases of the vascular system	35474	12.9	18634	15.3	52.5	17019	11.1	48.1
Diseases of the respiratory system	25329	9.2	14483	11.9	57.2	10903	7.1	34.0
Diseases of the digestive organs	32381	11.8	17295	14.2	53.4	15272	9.9	47.2
Diseases of the skin and subcutaneous tissue	6249	2.3	3147	2.6	50.4	3122	2.0	49.9
Diseases of the musculo-skeletal system and connective tissue	18346	6.7	8123	6.7	44.3	10326	6.7	56.3
Diseases of the bladder and genitalia	28522	10.4	7333	6.0	25.7	21442	13.9	75.2
Pregnancy, childbirth, post-natal period	8130	5.3	-	-	-	8130	5.3	100.0
Conditions deriving from the perinatal period	2567	0.9	1455	1.2	56.7	1119	0.7	43.6
Congenital malformations, deformations and chromosomal abnormalities	3308	1.2	1793	1.5	54.2	1541	1.0	46.6
Unclassified symptoms, signs, abnormalities, results	14259	5.2	6330	5.2	44.4	8010	5.2	56.2
Factors affecting health state and contacts	17990	6.6	5468	4.5	30.4	12858	8.4	71.5

Source: Healthcare Statistical Yearbook, Slovenia, 2000 (Data are taken from 3 tables: All (Slovenia) Table 13A-2.1, Men Table 13A-2.3.2 and Women Table 13A-2.3.3)

3. AIDS and HIV

In the period from 1 January to 30 September 2002, a total of 98 cases of AIDS was reported in Slovenia. The majority of patients have already died, so that an envisaged 29 patients with AIDS still live in Slovenia. Of a total of 98 reported cases, 85 were men, 11 women and two children, a boy and a girl.

In the period from 1 July to 30 September 2002, six newly discovered cases of infection with HIV were reported to the Health Insurance Institute of the Republic of Slovenia, in which the disease has not yet developed – 5 men and 1 woman. From 1 January 1986 to 30 September 2002 in Slovenia, 102 cases of diagnosed infection with HIV were reported, in which AIDS had not yet developed (76 men, 22 women, two boys and two girls).

4. Programmes of public awareness and programmes for raising awareness of women

In Slovenia in the period since the Second Report was made, numerous activities have taken place intended to provide information in the area of women's health. The Office for Equal Opportunities, in co-operation with competent organisations, carried out activities for preventing osteoporosis, breast cancer, cancer of the neck of the uterus and ovarian cancer. In 2001, to mark 8 March, the International Women's Day, and the international days of the Fight against Cancer, a leaflet was published with which women were acquainted with how to behave in order to discover cancer of the neck of the uterus and breast cancer early enough, and in 2002 a leaflet was published which acquainted women with ovarian cancer.

The Office for Equal Opportunities also issued a leaflet in which we drew attention to the right to decide on their own body, to protection of privacy and personal dignity, which is particularly important in healthcare. We also presented in it the duty of the physician to explain how the diagnosing and treatment of disease or conditions will take place and consent to medical interventions. Ways and paths of appeal were also presented in the leaflet.

Article 13

OTHER AREAS OF ECONOMIC AND SOCIAL LIFE

1. Family benefits

The new Parental Care and Family Income Act regulates the following types of family benefits: parental allowance, childbirth assistance, child supplement, large family supplement, childcare supplement and partial payment for lost earnings (Article 57).

Parental supplement is monetary assistance to parents who are not eligible for parental benefit (Article 58). A mother who is a citizen of the Republic of Slovenia, has permanent residence in the Republic of Slovenia and is also the child of citizens of the Republic of Slovenia, is entitled to this. The right to parental supplement may also be obtained by a father or other person who actually cares for the child if a mother dies, abandons the child, is permanently or temporarily incapable of independent life and work or if she or he has concluded an employment contract or starts to perform agricultural or other independent activity (Article 59). Parental supplement amounts to 35,000 SIT (152 USD).

Childbirth assistance is a one-off monetary benefit of 50,000 SIT (217 USD) which is intended for the purchase of equipment and accessories for a new-born child, and instead of payment in money, equipment can be provided in the form of a package (Article 63). The right to such benefit accrues to any child whose father or mother have permanent residence in the Republic of Slovenia (Article 64).

With **child supplement**, parents or the child are provided with supplementary income for subsistence, care and education, when the income per family member does not exceed the upper limit of the income class which is determined by the act (Article 65). The level of child supplement is determined with regard to the ranking of the family into an income class. If the child lives in a single parent family, the level of child supplement is increased by 10% and if the child is not enrolled in kindergarten, by 20% (Article 66). The right to child supplement is held by one of the parents or another person for a child with permanent residence in the

Republic of Slovenia who is a citizen of the Republic of Slovenia; and if she or he is not a citizen, on the basis of reciprocity. On condition that at least one of the parents has concluded an employment contract with an employer with registered office in the Republic of Slovenia, he or she has the right to child supplement also for a child that does not have residence in the Republic of Slovenia, if he or she is a citizen of the Republic of Slovenia and does not have the right to child supplement in the state in which he or she lives, or if he or she is not a citizen of the Republic of Slovenia and it is thus agreed by international contract (Article 67).

Large family supplement is received by families who have three or more children, and one of the children is also entitled to it when three or more children from the same family live without parents. The supplement is paid once a year and amounts to 70,000 SIT (304 USD). The right to supplement is held by one of the parents if the parents and children are citizens of the Republic of Slovenia and have permanent residence together in the Republic of Slovenia (Articles 76 and 77).

Childcare supplement is a monetary supplement for a child needing special care and is intended to cover the increased living expenses that a family has because of this (Article 80). The monthly level of the aforementioned supplement amounts to 18,000 SIT (78 USD), for a child with seriously disturbed mental development or serious motor impairment, twice that amount. The right to the supplement is held by one of the parents if the child is a citizen of and has permanent residence in the Republic of Slovenia (Article 81).

Partial payment for lost earnings is a personal income received by one of the parents when he or she ceases employment or works part-time in order to care for a child with seriously disturbed mental development or serious motor impairment (Article 84). The right to the supplement is obtained by one of the parents if he or she and the child fulfil the conditions of Slovene citizenship and both also have permanent residence in the Republic of Slovenia (Article 85).

2. Bank loans and other financial credits

Access to loans is the same for women and men. The Housing Fund, which was founded in order to stimulate housing construction, renovation and maintenance of apartments and apartment houses, adapts criteria of providing loans mainly to those who are first solving their housing problem. This is primarily young persons and young families, families with a number of children and disabled people. The guidelines of the National Housing Programme in connection with enabling new households is that other ways of these being created will not be overlooked, especially the creation of single parent families and divorces.

3. Recreation, sport and other aspects of cultural life

In relation to the inclusion of women in recreational activities and other forms of cultural life, the most recent data is not available. A poll on the use of time from 1998 shows that women devote less time than men to socialising, sport, hobbies, travel etc. The National Programme of Sport in the Republic of Slovenia from 2000 specifies in particular that it is necessary to improve sports and recreational programmes for various target groups, including in relation to gender.

Table 22: Average use of time per day in relation to main groups of activities (average duration in minutes)

Activity	Men	Women
personal	650	638
employment	210	137
household	139	255
studies	47	60
religion	4	5
socialising	90	79
sport	34	25
hobbies	15	7
media	162	139
travel	84	78
other	5	17
Total	**1440**	**1440**

Source: Statistical Office of the Republic of Slovenia, April 1998, Survey on use of time in Slovenia

Article 14

RURAL WOMEN

According to data of the Census of Farm Households from 2000, women make up 48% of the entire labour force on Slovene farms. Among women of all ages who live and work in farm households, 30% are employed in other activities, 23% of farm women are 65 years old or older.

Table 23: Status of the labour force on Slovene farms by sex (shares in %)

Status	Men	Women	All	Number
Farms, agricultural holdings	15.0	13.0	14.0	35182
Work performed outside the agricultural holdings	43.0	30.0	37.0	92634
Unemployed	6.0	5.0	5.5	13554
Housewives	0.0	16.0	7.0	19600
Children, pupils, students	10.0	11.0	10.5	26678
Pensioner outside agriculture	19.0	16.0	18.0	44903
Pensioner from agriculture	6.0	10.0	8.0	19977

Source: Census of farm households in 2000

A woman who manages a farm in Slovenia is usually in her older years (probably also a widow), with poor general and formal agricultural education, with a small estate on which together with other family members she produces shall quantities of everything, probably only for own needs. It appears that women in Slovenia often take over the role of farm holder because of the absence of younger, especially male persons in the family who would be prepared to farm (the husband has died, there are no other successors or heirs), and because this role offers the only source of minimum social and economic security.

The new Pension and Disability Insurance Act contains more or less similar provisions in relation to the compulsory insurance of men and women farmers as the previous act. So farmers (of either sex) and members of agricultural holdings and other persons that independently perform agricultural activities as the only or main profession, are compulsorily insured unless they are younger than 15 years and have the health capacity to perform agricultural activities, which is established by the medicine of work service (Article 16). An additional condition is that the agricultural holding achieves such a cadastre or other income per insured member as corresponds to the amount of minimum pay. Farmers (of either sex) may exercise exemption from compulsory insurance if the monthly basis for calculating tax from the activities that they perform does not reach half the minimum pay in the last six months prior to the exemption (Article 18).

The Parental Care and Family Income Act similarly mentions farmers (of either sex) as insurees for parental protection (Article 6), which means that they are entitled to parental leave, parental benefit and rights under the heading shorter working time. Women, or parents, who do not pay insurance for individual types of parental leave are given the right to parental supplement for 365 days from the birth of a child. In view of the negligible share of young farm women and rural women who do not manage to pay insurance, such a provision is sensible.

62% of farm women regularly pay contributions for all types of insurance: pension, health, against unemployment and maternity protection; they most often pay contributions for health insurance (89%), and least often contributions for maternity protection. Payment of contributions for the aforementioned insurance is bound to the employment status and age of women; women younger than 15 years or older than 50 years are most often without insurance.

The education level of the population on Slovene farms is significantly lower than the Slovene average and the gender differences are in this class still very great; 79% of women have only primary education or less, while only 2,2% of women have higher or university education. Farmers rely in managing their farms mainly on knowledge that they have obtained in direct work with practical experience. This applies especially to farm women, since only 8% of them have obtained their knowledge through regular education in agricultural schools and at various courses in agriculture. Only 0.3% of women farm managers have university education.

Table 24: Education level of the entire population and holders of Slovene farms by sex (shares in %)

	All	Men	Women	Male holders	Female holders
Without primary school	1.1	1.1	1.3	0.9	1.7
Unfinished primary school	4.8	4.0	5.7	9.6	11.6
Primary school	27.0	21.7	32.0	40.4	65.4
Vocational school	25.2	32.3	18.7	31.7	10.6
Secondary school	29.5	28.8	30.2	13.7	8.5
2 yr. Higher education	5.6	4.9	6.3	1.9	1.3
4 yr. Higher education	6.6	7.0	5.9	1.7	0.9

Source: Statistical Yearbook 2001 and Census of farm households 2000

Article 15

EQUALITY BEFORE THE LAW

There has been no change in relation to the Second Report.

Article 16

MARRIAGE AND FAMILY RELATIONS

The legal basis in relation to marriage and family relations remains unchanged, but within the framework of the Ministry of Labour, the Family and Social Affairs, a new Marriage and Family Relations Act is being prepared.

An important innovation is the introduction of compensatory alimony for children for whom those liable for alimony do not pay. By the amendments the act of 1999, the Guarantee Fund was transformed into the Guarantee and Alimony Fund of the Republic of Slovenia, which from that time has also been competent for settling obligations under the heading of rights of children in the case of unpaid alimony. The right to compensatory alimony is held by a child for whom alimony has been agreed by final court decision or temporary court order or agreement with a centre for social work, which the person liable does not pay (Article 21a). It is considered that it is not being paid if the alimony has not been paid for three months in succession or if it is paid irregularly. In addition, the child must be a citizen of the Republic of Slovenia and also have permanent residence in the Republic of Slovenia, may not be older than 18 years, and the income per family member in the family in which the child lives may not exceed 55% of the average pay in the state in the past year. The right to compensation is also held by a child who is an alien but has permanent residence in the Republic of Slovenia if this is determined by international agreement or on the condition of reciprocity (Article 21a). The right to payment of compensatory alimony lasts until the child is 15 or until 18 if the child is not in employment (Article 21b). The level of compensation is determined by law in relation to the child's age and is adjusted in the same way as the level of alimony (Article 21d). In October 2002, the Government of the Republic of Slovenia adopted a Proposal of Amendment of Guarantee and Alimony Fund Act, which is currently in parliamentary procedure. The essential proposed change is that the right to compensation will no longer be bound to the income per family member and thus children who live in a family in which income per family member exceeds the aforementioned census will also be entitled to it. In this way, the equal treatment of

children who live in one parent families and in which the person liable does not contribute alimony to the subsistence of common children will be achieved.

In 2001, the alimony fund recognised the right to compensation of alimony to 658 children, and 87 children did not meet the conditions for obtaining this right. Up until the end of the year, compensation of alimony had been paid to 2,330 children to a total level of 308 million SIT (1,339,130 USD). By means of execution of decisions, claims of children against those liable to alimony came to the Fund to a level of the funds paid out. By the end of 2001, 7.8% of all outgoing payments had been repaid to the Fund (in 2000 3.1%).